

**PUBLIC SAFETY DEPARTMENT[661]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 17A.3, 81.4, and 691.3, the Department of Public Safety hereby amends Chapter 95, "Disposition of Seized and Forfeited Weapons and Ammunition," Chapter 150, "Division of Criminal Investigation Criminalistics Laboratory," Chapter 156, "DNA Database," and Chapter 157, "Devices and Methods to Test Body Fluids for Alcohol or Drugs," Iowa Administrative Code.

The Division of Criminal Investigation Criminalistics Laboratory is created within the Department of Public Safety in Iowa Code section 691.1. The Commissioner of Public Safety is authorized to adopt administrative rules defining the capabilities of the Criminalistics Laboratory and governing the handling of items to be processed by the Criminalistics Laboratory in Iowa Code section 691.3. Several other provisions of the Code of Iowa require the adoption of administrative rules regarding responsibilities and operations of the Laboratory. Among these are Iowa Code chapter 81, which established a DNA Database within the Criminalistics Laboratory and requires the adoption of administrative rules for the collection, submission, analysis, identification, storage, and disposition of DNA records, and Iowa Code section 321J.2, which requires the adoption of standards for minimum detectable levels of controlled substances in the body fluids and tissues of samples analyzed by the Laboratory. The amendments adopted herein update and clarify rules applicable to the operations of the Criminalistics Laboratory.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 0098C** on April 18, 2012. A public hearing to accept comments regarding the amendments as proposed in the Notice of Intended Action was held on May 8, 2012. No comments regarding the proposed amendments were received either at the public hearing or otherwise. The amendments adopted herein are identical to those proposed in the Notice of Intended Action.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 81, 691, 809, and 809A.

These amendments will become effective September 1, 2012.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [95.5, 150.3(8), 150.4(2), 156.1 to 156.10, 157.2, 157.7] is being omitted. These amendments are identical to those published under Notice as **ARC 0098C**, IAB 4/18/12.

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[For replacement pages for IAC, see IAC Supplement 7/25/12.]